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MEETING	PLANNING COMMITTEE
DATE	23 NOVEMBER 2006
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, CUTHBERTSON, HILL, HORTON, HYMAN, JAMIESON-BALL, MOORE, REID, SIMPSON-LAING, SMALLWOOD, MERRETT (SUBSTITUTE), MORLEY (SUBSTITUTE), LIVESLEY (SUBSTITUTE) AND B WATSON (SUBSTITUTE)
APOLOGIES	COUNCILLORS BLANCHARD, MACDONALD, I WAUDBY AND WILDE

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## **28. INSPECTION OF SITES**

There were no site visits for this meeting.

## **29. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

## **30. MINUTES**

RESOLVED: That the minutes of the meeting held on 26 October 2006 be approved and signed by the Chair as a correct record.

## **31. PUBLIC PARTICIPATION**

It was reported that nobody had registered to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

## **32. PLANS LIST**

Members considered a report of the Assistant Director, Planning and Sustainable Development, relating to the following planning application, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

### **32a. York Business Park Great North Way Nether Poppleton York YO26 6RB 06/01940/REMM**

Members considered a major reserved matters application, submitted by Business Living Limited, for the erection of 19 business units (B1 class) pursuant to outline planning permission 05/02181/OUT granted 12 October 2005 (resubmission).

Officers updated the following:

- That the applicant believed that for this application it would be reasonable to achieve a “very good” BREEAM rating.
- That regarding drainage, York Consultancy had confirmed that the area was a Low Risk Flood Zone 1, and that a flood risk assessment had been carried out as part of the outline planning application.
- That drainage issues were covered by condition 5 of the outline planning application.
- That they recommended to Members to add height condition HT1 to the application.

The agent for the applicant was present at the meeting to respond to any questions Members may have.

Members discussed the fact that the drainage assessment was carried out as part of the outline application which was a significant time ago, and were given legal advice stating that they were bound by the terms of the original consent (at outline stage), and that only those matters not considered at outline stage could be considered.

Members discussed the issue of the BREEAM rating and the applicant stated that he felt that the BREEAM rating of “very good” was appropriate for this application. Members discussed amending the wording of condition 9 to reflect their discussions on the importance of considering sustainable development.

Members also requested a Green Travel Plan condition, and a condition regarding hours of construction.

**RESOLVED:**

That the application be approved subject to the conditions outlined in the report and subject to the following additional conditions:

(i) Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.2 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

(ii) All demolition and construction works and ancillary operations, including deliveries to and dispatch from the site shall be confined to 08:00 to 18:00 Monday to Fridays, 09:00 to 13:00 Saturdays and no works at all shall be carried out on Sundays and Bank Holidays.

Reason: To protect the amenity of local residents during the construction of the development from noise.

(iii) No unit on the site shall be occupied until a Travel Plan, developed in accordance with national guidance and guidance published by City of York Council has been submitted to and approved in writing by the Local Planning Authority. The units shall thereafter be occupied in accordance with the aims, measures and outcomes of such Travel Plan.

Reason: To ensure the development complies with advice contained in PPG 13-Transport, and in Policy T20 of the City of York deposit Draft Local Plan, and to ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

And subject to the following amended condition 9 of the report:

9. The developer shall achieve a BREEAM “very good” or “excellent” assessment standard for the development unless otherwise agreed in writing with the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of construction of the development, the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to.

### **33. DRAFT SUPPLEMENTARY PLANNING GUIDANCE : SUSTAINABLE DESIGN AND CONSTRUCTION**

Members received a report which sought approval for the Draft Supplementary Planning Guidance (SPG) : Sustainable Design and Construction to be published for consultation. This was attached as Annex A to the report.

The SPG had been produced to support Policy GP4a (Sustainability) of the Local Plan. Policy GP4a seeks to ensure that all new development takes account of sustainability issues by requiring applicants to submit a sustainability statement to accompany their proposals. The SPG provides further guidance to applicants on what is expected from them as part of preparing a sustainability statement.

A report and earlier draft of the SPG was taken to the LDF Working Group on 24 August 2006 for consideration. The group concluded that the SPG needed to be strengthened to include specific targets. In addition, it was suggested that the SPG was too long and generally needed re-structuring. As a result of these comments Officers redrafted the SPG and returned to the LDF Working Group on 17 October 2006. In response to the comments raised at the LDF Working Group on 17 October 2006 a number of changes have been made to the SPG. These were detailed in Annex B to the report.

Members requested that they receive training on BREEAM before this Supplementary Planning Guidance comes forward for approval.

Members discussed the layout and design of the document and requested that there be a more consistent design, and were informed that Marketing & Communications would be involved in agreeing the document before publication. They requested that the layout be more user friendly and that the use of acronyms be avoided.

With regard to timescales for the consultation, Members were updated that the consultation was due to start in January for a period of three months.

RESOLVED:

That:

- 1) Subject to implementation of the comments above, the SPG be recommended for consultation;

Reason: To implement policy GP4a of the Draft Local Plan incorporating the fourth set of changes.

- 2) The making of any incidental changes or other changes to the document necessary as a result of the recommendations of this report, and the final formatting of the consultation document, are delegated to the Director of City Strategy and the Executive Member and Opposition Spokesperson for City Strategy.

Reason: So that the report can be published for public consultation.

COUNCILLOR R WATSON

Chair

The meeting started at 4.35 pm and finished at 5.35 pm.